

Conspiracyland Podcast

Bonus Episode 2: "Khashoggi and the 9/11 lawsuit"

Aired: July 10, 2021

Apple Podcasts Preview Caption: In the fall of 2017, Jamal Khashoggi secretly met with a former FBI agent working for the legal team suing the Saudi government for alleged complicity in the terror attacks of 9/11. Although he had for years been a loyal defender of his government, Khashoggi now suggested he might be willing to help the families of 9/11 victims demanding accountability from the Saudi regime. Did the Saudis know about his surprise offer? And what are the questions still unanswered about the role of some Saudi officials in allegedly helping to facilitate the attacks. In this special bonus episode of Conspiracyland-- Khashoggi and the 9/11 lawsuit-- we dive into those issues with interviews with former FBI agent Catherine Hunt, Jim Kreindler, the chief lawyers for the families of 9/11 victims and legendary former agent Ali Soufan, who spent years investigating Al Qaeda.

Voices heard:

Catherine Hunt
Michael Isikoff
Dan Klaidman
Jim Kreindler
Ali Soufan

[0:00] **Reporter 1:** This just in, you are looking at obviously a very disturbing live-shot there.

[0:04] **Reporter 2:** We understand that a plane has crashed into the World Trade Center.

[0:08] **Reporter 3:** My god, what –

[0:09] **Reporter 4:** That looks like a second plane.

[0:12] **C. HUNT:** I look at 9/11 as a horrific crime: a mass murder. And you investigate it as such. I don't believe that the investigation is completed. There's still more to be uncovered.

[0:27] **M. ISIKOFF:** Catherine Hunt spent 12 years with the FBI working counterintelligence and counter terrorism cases in Los Angeles, San Francisco, Cairo and Baghdad. But she never quite got over something she learned after the 9/11 attacks. Two of the hijackers have been hanging out just blocks from where she regularly spent time when she was with the Bureau in the late 1990s. It was there, in a west-LA neighborhood, where the Al Qaeda man had multiple encounters with a suspected Saudi intelligence agent and a radical imam at a Saudi government funded mosque.

[1:00] **C. HUNT:** I worked out at a gym down in Venice Boulevard. And right in that area, that neighborhood, is the mosque, the restaurants. Very close to that is the Saudi Embassy. And it really struck me as, "gosh, all this stuff is going on right here and, you know, who knew?"

[1:20] **M. ISIKOFF:** That led Hunt down a somewhat unexpected path after she'd left the Bureau. Some former colleagues had given her a name to the lawyers representing the families of 9/11 victims who were suing the Saudi government. The very same lawsuit the Saudis and their lobbyists in Washington had done everything they could to derail. The lawyers asked Hunt to help

them reinvestigate the events that led up to 9/11, and the role that some Saudi officials may have had in assisting or encouraging the attacks. Hunt was intrigued by the challenge. And in late October 2017, she reached out to a source she thought just might be able to help her put the pieces of the 9/11 puzzle together: Jamal Khashoggi. We'll explore what happened when she did so, and what it tells us about Khashoggi, the Saudis, and the still unanswered questions about 9/11 on this special bonus episode of *Conspiracyland*.

[Introductory music.]

[2:19] **M. ISIKOFF:** I'm Michael Isikoff, Chief Investigative Correspondent for *Yahoo! News*, and the host of *Conspiracyland*. And I'll be joined for this special bonus episode by my skullduggery co-host, Dan Klaidman, with whom I covered the 9/11 story 20 years ago. And then we'll bring in 2 guests with a unique perspective on this story: Jim Kreindler, the chief lawyer for the 9/11 families suing the Saudis; and Ali Soufan, another former FBI agent who spent years investigating Al Qaeda attacks on America. So I have to say this is a episode that is very special to me because it is so interesting on so many different levels. First: the very idea that Jamal Khashoggi, who as we have been laying out in this *Conspiracyland* series we've had, was for years somebody very closely aligned with the Saudi regime. He was a media advisor to the former Chief of Saudi Intelligence, Prince Turki bin Faisal, who was the Saudi ambassador in London and then in Washington. Khashoggi did everything he could to present the Saudis in a favorable light, to push back on stories that implicated them in terrorism and Al Qaeda. And here he is, towards the end of his life, meeting with – in effect – the enemy! The—a representative, a former FBI who's working for the law firm representing the families who are suing the Saudi government for their alleged role in 9/11. But that's on one level. And on the second level, I mean, here we are coming up on the 20th anniversary of 9/11, and as Catherine Hunt outlines in the start of that interview I played, there are still unanswered questions in the minds of many people, including within the FBI about 9/11 and possible Saudi complicity. So Danny, you and I were, I think we were the first to write about the significance of those two hijackers who were hanging out in west-LA where Catherine Hunt was working out at the gym. We had a big cover story for *Newsweek* back in June of 2002, and here we are, 2021, and the questions about what they were up to and what help they were getting in Los Angeles are still with us.

[4:53] **D. KLAIDMAN:** Well, both of the levels that you talked about, Khashoggi and 9/11, recalls that line, I don't know who was it, Churchill or someone, "an enigma and a riddle wrapped in a mystery." I'm probably botching it, but so many lingering mysteries and Khashoggi obviously and that's what's special about the, one of the things that's special about this podcast series is you bring all of that complexity to Jamal Khashoggi. He's just a fascinating character. But look, on the two hijackers, we actually began reporting that story in *Newsweek* literally days after 9/11 itself. I mean –

[5:30] **M. ISIKOFF:** That's right.

[5:30] **D. KLAIDMAN:** – ground zero was still smoldering and we learned that the CIA had tracked these two hijackers—would-be hijackers—from this meeting –

[5:43] **M. ISIKOFF:** Al Qaeda summit.

[5:44] **D. KLAIDMAN:** This Al Qaeda summit in Kuala Lumpur where they planned the attacks to Thailand. Literally watched them get on a plane to Los Angeles. And then we stopped following them because the CIA, I guess, because the CIA couldn't operate domestically, but they also withheld the information from the FBI and other federal law enforcement agencies, as Ali Soufan knows so well, who we're going to talk to him about that. And, you know, we were just astonished at the time to learn, when we did that cover story that they lived openly in Los Angeles and in San Diego. They had driver's licenses. They had bank accounts. I don't know whether they were in the phone books, but they might as well have been. And then it was some months later, maybe about a year later, when some of the investigations into intelligence failures and what actually, really happened, started looking into all of this where we learned about some other really suspicious things, including the possibility of Saudi involvement in the conspiracy itself, at least in some form.

[6:51] **M. ISIKOFF:** Absolutely. And I know that both of our guests, Jim Kreindler and Ali Soufan, will have a lot to say about these issues. But before we get to that, let's listen to the rest of my interview with Catherine Hunt about her meeting with Jamal Khashoggi in October of 2017. Because it's really quite interesting and it starts out with, I'm asking her why she reached out to Jamal Khashoggi in the first place. What she thought he could bring to the table, and why she thought he might be in a position help. Let's play the interview.

[7:30] **C. HUNT:** If you look back on the history of his career and the various positions that he had, he had a tremendous amount of connection and access to information that would be interesting to us. He also had a tremendous amount of influence. So really he was in a position to potentially be very helpful to us.

[7:49] **M. ISIKOFF:** Khashoggi had, at this point, all but broken with the regime he had long defended. He had just written his first column for the Washington Post accusing the country's new de facto ruler, Crown Prince Mohammad Bin Salman, MBS, of presiding over what he described as an "unbearable reign of repression." When Hunt first reached out to Khashoggi in the fall of 2017, somewhat to her surprise, he was...

[8:13] **C. HUNT:** Very interested in meeting me. He was very smooth, professional, engaged.

[8:20] **M. ISIKOFF:** They talked about getting together. And then on the morning of October 26th...

[8:24] **C. HUNT:** I wasn't even ready. He called and said "can we" he was very upset, and he said "can we move the up?" and "something's happened that I must attend to, can we move the meeting up?" and I said "sure, when?" he said "as soon as you can get here." So we scheduled it, you know, for in about 45 minutes.

[8:41] **M. ISIKOFF:** So Hunt rushed over to a coffee shop in Tysons Corner, a Northern Virginia shopping mall that Jamal had suggested. When she got there, she found him still quite agitated.

[8:51] **C. HUNT:** And he explained that he had just heard that morning, from his son, that he was not being permitted to fly anymore. That the Kingdom was not allowing him to fly and travel, and Jamal was very upset. He didn't really understand why he was being targeted by the regime. And he was, you know, he called himself a, a 'loyal objector.' I loved that term. He considered himself a 'loyal objector.'

[9:22] **M. ISIKOFF:** Much later, Jamal would be described by some as a dissident, the term he never embraced. 'Loyal objector' clearly better describes where his head was at. At that point, without referencing the curious events in Los Angeles that had intrigued Hunt, Jamal brought up the Saudi Ministry of Islamic Affairs and its role in funding and spreading an extreme version of Islam that easily could inspire followers to commit acts of terrorism.

[9:47] **C. HUNT:** He started to instruct me a lot about the role of the Ministry of Islamic Affairs, and that they were charged with the responsibility of spreading Islam throughout the world. And he explained that really it was a fundamentalist version of Islam that was being propagated. And that the current government was trying to reform that position.

[10:08] **M. ISIKOFF:** And then Jamal said something else that immediately got Hunt's attention.

[10:12] **C. HUNT:** He said it more in a question: "Is my country responsible for tolerating, and even supporting, radical Islam? Yes, and they must take responsibility for that."

[10:20] **M. ISIKOFF:** That's pretty interesting.

[10:21] **C. HUNT:** Yes, and that's, well I was like "that's golden." That's golden because that's what the plaintiffs are asking.

[10:29] **M. ISIKOFF:** Much to Hunt's surprise, Jamal even asked if the law firm she was working for, Kreindler & Kreindler, was offering him a job.

[10:36] **C. HUNT:** And ultimately, he was very interested in talking about it. He wanted to have the next meeting in New York, not the DC area.

[10:45] **M. ISIKOFF:** What was your takeaway?

[10:46] **C. HUNT:** I was excited. I was thrilled that he was so positive about it, you know. I think he could have added a tremendous amount to us, for us, in a variety of ways.

[10:59] **M. ISIKOFF:** You know what's remarkable on so many levels about this is the lawsuit that you were trying to get him to help with was something that was anathema to the Saudi government, and yet here's this prominent journalist who's had these very close ties to his government over the years offering to help you out.

[11:21] **C. HUNT:** Yeah, well, you know here he was he found himself in exile. And I think working with the, the law firm would have given him a chip in the game, if you will.

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[11:34] **M. ISIKOFF:** Did you, did you ever hear from him again?

[11:37] **C. HUNT:** No. I didn't.

[11:40] **M. ISIKOFF:** Hunt was never quite sure why, but more than a year later she got a disturbing clue. It was in the weeks after Jamal's murder and there were reports that Saudi ambassador to the United States, Khalid Bin Salman, MBS's brother, may have had contact with him in the weeks prior to his death. The ambassador tweeted his response on the official account of the Saudi Embassy: "As we told the Washington Post, the last contact I had with Mr. Khashoggi was via text on October 26, 2017." October 26th was the very same day that Catherine Hunt had met with Jamal at the Tysons Corner coffee shop, and discussed the possibility of him working for the lawyers suing the Kingdom. Coincidence? Maybe. But what was the Ambassador texting Jamal about that day? Did the Saudis know about his meeting with Catherine Hunt? Had Jamal mentioned it to the Ambassador as part of an effort to get the travel ban on his son lifted? And perhaps most of all, had he been warned about the possible consequences of working with the 9/11 legal team suing his government? And what that could mean for him and his family. The answers remain a mystery. A black hole, among the many during the last year of Jamal Khashoggi's life. It's a period when, as he openly challenged his own government and plotted ways to push back against its hotheaded and vindictive Crown Prince, Khashoggi's personal life got increasingly messy. The threats against him ever nastier. And the surveillance of him, his associates, and even one of his lovers, ever more menacing.

[13:10] **M. ISIKOFF:** Well that was my discussion with Catherine Hunt and, you know, I think I spoke to her probably almost a year ago now and all those questions I raised about what was really going on there and the curious fact that the same day she has the meeting, Khashoggi was in touch with the Ambassador, Khalid Bin Salman, who is the brother of MBS, is pretty intriguing. Jim Kreindler, I want to welcome you to the podcast.

[13:44] **J. KREINDLER:** Thanks Mike.

[13:45] **M. ISIKOFF:** You are the chief lawyer for the families suing the Saudi government. Catherine Hunt was working for you when she met with Jamal Khashoggi. What do you make of this meeting? And what do you make of the fact that it's the same day as he was in touch with the Saudi Ambassador to the United States?

[14:07] **J. KREINDLER:** Mike, there isn't a doubt in my mind that after speaking to Catherine, he called KBS, Khashoggi did, and said "Hey, the plaintiffs lawyers had an FBI agent talking to me. I didn't give them anything yet, but, you know, you mess with my son and I'm going to spill the beans." And in my opinion, there's no doubt that that is the reason why he was killed. You know, the Saudis cannot afford to have anyone in-the-know reveal to us and the world what Saudi officials did working with Al Qaeda to accomplish 9/11.

[14:50] **M. ISIKOFF:** Did you know in real-time about what took place at that meeting? Did Catherine Hunt immediately –

[14:57] **J. KREINDLER:** Yeah.

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[14:57] **M. ISIKOFF:** – call you up, or email you, and tell you “guess what. Guess who I’ve just spoken to.” And the fact that he might be willing to work for you.

[15:05] **J. KREINDLER:** Yeah. So I don’t remember if it was right after the meeting or later in the day, but Catherine called, said “a very positive meeting. I think this is a great lead. We know that he’s knowledgeable and he indicated that he’d come to New York and talk to you, Jim, and you know, you and your colleagues.”

[15:26] **M. ISIKOFF:** What did you think when you heard that?

[15:28] **J. KREINDLER:** I said “terrific!” And back then, you know, in 2017, we maybe knew 10% of what we know today. So we were really desperate to get a great deal more information. You know, now, you know, we know so much more about what Saudi officials did for the three years before 9/11, you know, to enable the attacks to occur. But early on, you know, we’re pursuing any lead, and this was a really good lead. So we were excited that he said he’d be willing to talk to us some more.

[16:12] **D. KLAIDMAN:** Before we bring in Ali Soufan, let me just press you for a second on the Saudi motivation to kill Khashoggi. And I guess the question I have is, do you think that Jamal Khashoggi already had information or that the Saudis thought he was in a position because of his contacts, because of his influence? He would be in a position to get information that they didn’t want revealed or going to the lawyers. I just want to kind of understand that.

[16:42] **J. KREINDLER:** I think he already had the information. And, you know, in 2017, the information is 17, 18, and 19 years old. I mean, he knew, I believe, something of what Saudi officials were doing in 1999, 2000, and 2001.

[17:05] **D. KLAIDMAN:** And one quick follow up: is that information that you think has now come out? Or do you think that information, largely because he was killed, is still under wraps?

[17:15] **J. KREINDLER:** So look, we are wrestling with this damn gag order imposed on us by the Saudis, our Department of Justice and the court. If I could tell you now everything we knew about the Saudi role, you know, you could see a resolution in Congress to declare war. I mean, it is so dramatic and still a great deal of the information is being withheld from us. But we’re in the, you know, we’re in this weird situation where it’s our government who is prohibiting us from telling the families, much less the country and the media what we know.

[18:02] **D. KLAIDMAN:** I was going to say Ali Soufan isn’t under a gag order, right?

[18:06] **J. KREINDLER:** Right.

[18:06] **M. ISIKOFF:** And nobody knows more about the run up to 9/11 than Ali Soufan. So, Ali, why don’t you? First of all, thanks for joining us on the podcast. Give us your take on the meeting that Jamal Khashoggi had with Catherine Hunt and what Jim Kreindler has just said about it.

[18:25] **A. SOUFAN:** Well, I'm just listening to Jim, and basically what he said is very major. You know, he said he is aware of information that he cannot share because of a gag order by our own government and by the Saudi government and by the court that will basically force Congress to even declare war, which means they have a lot of the answers for the questions that we've been asking since the immediate aftermath of 9/11. You know, first, a long time ago, 20 years ago, did Saudi government officials have contacts with the hijackers? Well, now we know, yes, they did. At least the three of them. What is the nature of these contacts? We still don't know for sure. Did Saudi officials or Saudi agents help the hijackers in any way, shape or form while they were in the United States? Well, even as a person who is involved in the investigation, we really don't know the nature of this help or this relationship. Why did they do it? Under whose order did they do it? A lot of questions that still need to be answered. So far the answers of these questions continue to be more classified than anything we've seen in the relationship to any agency or entity in the United States or around the world. And today we hear Jim saying that some of the answers they possibly have, from understanding what he was, you know, saying here, and it's very damning. See, I think this lack of transparency, this is what breeds conspiracies. This is what creates a lack of trust in our system, in our government. This is what caused a lot of disinformation. 9/11 is an event that changes the whole world, not only in the United States. So the families of those victims who perished on that day, they deserve the truth. They, you, us deserve better than that.

[20:26] **M. ISIKOFF:** Now I should point out that, you know, there was a 9/11 commission that did a pretty extensive investigation –

[20:34] **A. SOUFAN:** Sure.

[20:34] **M. ISIKOFF:** – that's been widely praised. And they did reach the conclusion that they did not find evidence that the Saudi government, as a government, was complicit.

[20:44] **A. SOUFAN:** But also at the same time, they said, there is a lot of places that they didn't look into it, because it was outside their jurisdiction. So we're actually taking only half of the finding and we're not taking the other half of the finding.

[20:56] **J. KREINDLER:** Yeah. And it's way, way worse than that, Mike and Ali, because a lot of the information that FBI agents like Steve Moore had in LA was never given to the commission at all. And because this was kept under wraps, agents on their own, two years after the commission, starting in 2006, opened their own investigation. Operation Encore. –

[20:24] **M. ISIKOFF:** Right.

[20:25] **J. KREINDLER:** – And that ran from 2006, 2007 until it was shut down in April 2016. And, you know, having seen that information, it's hard for me to quantify it. But I would say at least 75% of what is now known was developed by Operation Encore after the commission. So, so to say the commission exonerated Saudi Arabia when two-thirds of the information were kept from the commission, and then five times more information is developed after the commission is shut down, by Encore, is nonsense. I mean, you know, I wish I could say to you everything I know. But –

[22:13] **D. KLAIDMAN:** Can I just ask, Jim, you know, what your, your sort of bottom line theory of the case is in terms of Saudi involvement and Saudi motivation? And I guess it's maybe more than a theory of the case because you know things that you can't reveal because of the gag order. But what do you really believe, at the end of the day, Saudi involvement was in the 9/11 attacks?

[22:38] **J. KREINDLER:** Yeah. So I think there is a cell in the Saudi government reaching high up into Riyadh, in the Ministry of Islamic Affairs, that wanted to help Al Qaeda. Both out of affinity with the ideology that motivated Al Qaeda, and to keep Al Qaeda focused on the United States rather than, you know, people in Saudi Arabia and the royal family who would otherwise, you know, be targets of Al Qaeda's, you know, anger. Do I think the government acted as a monolith? No. But I think there's a large group of officials, almost all of whom were in the Ministry of Islamic Affairs, who wanted to help Al Qaeda attack the United States. And it's like, you know, Iran contra. Is it every person in the White House and the executive branch doing it? Or is it, you know, a group of officials acting? And I think it's closer to that. It's a group of officials, but Saudi Arabia legally is responsible for what its officials are doing.

[23:55] **D. KLAIDMAN:** And Ali, does that sound plausible to you? Is that a theory that you think has enough validity that it needs to be really thoroughly investigated? Assume you think that?

[24:06] **A. SOUFAN:** There's a possibility, but I don't know, we need the facts. And we need the facts. And again, if we keep over-classifying answers, this is going to lead to a lot of conspiracies and this is going to lead to more and more people not trusting the system. I mean, we need answers. We cannot come up with conclusions without having the facts. –

[24:35] **M. ISIKOFF:** Well, you said, you can, right?

[24:35] **J. KREINDLER:** I am 100% convinced this was an operation of a section of the Saudi government and the Ministry of Islamic Affairs, that took three years of planning, to enable Al Qaeda to reach its goals. And, you know, for Saudi Arabia to be protected and have Bill Barr invoke state secrets to prevent our government from giving us information and then muzzle us so we can't talk to our clients. And then on top of that, have secret briefings with the court where we have no idea what's being shared is, to me, the worst thing I'm aware of in our history.

[25:22] **M. ISIKOFF:** So let's just sort of zero in on, you know, the gravamen of your, of what I believe to be your case. And it does relate to those two hijackers that Danny and I were talking about who attend this Al Qaeda summit in Kuala Lumpur and then fly to Los Angeles, go through Thailand and then on to Los Angeles, LAX, in January of 2000. They don't speak English. They have no particular ties to the United States. No place to go. And yet, pretty soon, a guy by the name of Omar Bayoumi, who is a suspected Saudi intelligence agent, is in touch with him. His account is they meet at some falafel restaurant near the Saudi consulate. But Operation Encore, in one of the documents that has become public from that FBI investigation, late in the game, which doesn't begin until what 2006 you said, says that a somebody in the Saudi embassy—we've since reported it's this guy named Jarrah, who oversaw Ministry of Islamic Affairs—tasked Bayoumi and Thumairy with assisting those two hijackers. Do I have that right, Jim?

[26:46] **J. KREINDLER:** You do. Right. But you know, Mike, it's even worse than that because we now know that Saudi officials came to the United States in '98 and '99 and they were talent spotting. They were going around the country touching base with Saudi propagators to figure out where is the best place for the Al Qaeda terrorists to land and begin their preparations for 9/11: learn flight, learn English, take flight lessons, et cetera. And they eventually decide the best place to park the Al Qaeda terrorists is LA and San Diego. San Diego because of our naval facility. And Al Qaeda wanted to hit the US Navy back after we launched missiles following the embassy bombings. So even before Hazmi and Mihdhar get to LAX on January 15 for 2000, Saudi officials are in the US for a year figuring out who are the best guys to take care of him. And so, Jarrah, in the DC embassy, tells Thumairy to help the hijackers when they arrive. Because they have decided that LA and San Diego is the best location for the hijackers. So, you know, and then got all kinds of cockamamie denials of what's going on. But the Ministry of Islamic Affairs is coordinating, giving, you know, Bayoumi signing a lease for the hijackers, Thumairy's getting them their apartments in LA, they're scouting, you know, the naval base, one of whom returns to talk to Bin Laden before the attacks. In my opinion, says "everything is good to go. We're ready to move" and then they, you know, eventually bring the rest of the hijackers over so you can hijack, you know, the four planes. And what I always thought prompted Bill Barr to invoke state secrets, and keep the final Operation Encore report under wraps, was the embarrassment of what the CIA and FBI did and didn't do for, really, three years before the attacks that permitted the attacks to go forward.

[29:33] **M. ISIKOFF:** I want to bring Ali on that, on this point, because you were, you live this. You were investigating Al Qaeda. You were in Yemen investigating the Cole bombing, which was October of 2000. And you're looking for the connections of Al Qaeda people. And you are never told that the CIA had information about this Al Qaeda summit and that two of the people present, Al Qaeda guys, Al Mihdhar and Al Hazmi were in the United States. When do you learn that these two guys who you're investigating were in the United States and that the CIA knew about it?

[30:20] **A. SOUFAN:** September 12.

[30:22] **M. ISIKOFF:** The day after the 9/11 attacks. –

[30:24] **A. SOUFAN:** I was handed a file with all the information that I had been asking for since November about these individuals.

[30:30] **M. ISIKOFF:** What was your reaction?

[30:32] **A. SOUFAN:** Ugh, it was horrible reaction. I ran to the bathroom and threw up. I was in Yemen, the reason they gave us that information is because they want us to go talk to Fahd Al Quso again to see what the heck happened. Why there was a meeting? Who's there? Can you identify the people who were there? Other than Khallad, Nawaf Al Hazmi, and Khalid Al Mihdhar. So we went to Fahd, and this is when they showed me, you know, I showed Fahd the photos of the surveillance that was happening in Southeast Asia, in Malaysia, you know, about, you know, of the meeting that I was requesting to know about for many months. Not to –

[31:23] **D. KLAIDMAN:** Ali, my recollection is that the way that the United States, and I don't remember know whether it was the CIA or other agencies, got onto the Kuala Lumpur meeting, was that we knew about the safe house in Yemen. –

[31:37] **A. SOUFAN:** Yeah.

[31:37] **D. KLAIDMAN:** And we were listening in and we learned about the Kuala Lumpur summit and that Al Hazmi and Al Mihdhar and others were going there. Did the FBI know about that, at the time? Or that also was withheld from the FBI?

[31:53] **A. SOUFAN:** Now we didn't because what happened is the following. We were able to get a phone number in Yemen, I still remember the phone number 2, 2-0, 2, 2-5-0-7-8 number, which is a number of Ahmad Al Hada. Ahmad Al Hada is actually the father-in-law of Khalid Al Mihdhar. And that was kind of like a switchboard for Al Qaeda. You know, the people in Afghanistan, when they want to call somebody, because Khalid Al Mihdhar's children, most of them were Qaeda members, his sons-in-law Al Qaeda member. So, you know, when Kandahar want to talk to somebody in Al Qaeda, they can always find somebody to deliver the message on that phone number, right? So one of the Saudi suicide bombers who survived the bombing in Nairobi, name was Al Owhali, during his interrogation he provided that phone number saying that this is the number that when he survived and he didn't die, this is the number that he called so they can send him money and logistics to escape Nairobi. We gave the number to the intelligence community. The intelligence community were basically up on that number. And this is when they received, during the millennium, a message from Khallad to Khalid Al Mihdhar asking him to come over. So interestingly enough, the whole surveillance in Kuala Lumpur—that went through Dubai also because Khalid Al Mihdhar stayed in Dubai and, you know, as we know, they went to his room and they figured out he has a Saudi passport and valid visa to the United States—all these things happened based on a lead that came from the East Africa embassy bombings. And still we were not told. Actually, you mentioned the 9/11 commission. The 9/11 commission came with some sections, about half a dozen what they called "Missed Opportunities." "Missed Opportunities" that kind of allowed 9/11 to happen. And one of them was not passing this information to the FBI team investigating the *USS Cole*. And I agree with the 9/11 commission when it comes to this specific assessment.

[33:58] **M. ISIKOFF:** So who's being protected here? The CIA? Or the Saudis? Or both?

[34:04] **A. SOUFAN:** I don't know. I hope that we will have the answers. You know, after 9/11 our focus was on investigating Al Qaeda, preventing another attack, so I wasn't really involved in that element of the investigation outside my many, many, many hours talking to the 9/11 commission and the staffers. But overall, I would like to know. I would like to know what information Jim's talking about. But look, you know, the Saudi role with extremism goes beyond 9/11. Goes beyond what Chris Hunt was talking about on the show. Or what Jamal Khashoggi allegedly told Catherine Hunt. If you look at the East Africa embassy bombings—for example—Saudi connections. If you talk of the *USS Cole*, one of the suicide bombers—Saudi. If you look at the 9/11, 15 of the hijackers—Saudis. If you look at, you know, almost every attack connected to Al Qaeda or conducted by Al Qaeda, you'll see a direct or indirect Saudi connection. 9/11 itself. We talk about the \$36,000 coming from Saudi Arabia. Khalid Sheikh Mohammed himself was

operating and using a Saudi passport, right? Maybe there isn't answers for these questions. But from what I hear from Jim, I really doubt there is an innocent answer or answers. We need to know. We know how we messed up, we know how the FBI messed up, how the CIA messed up, how the US government messed up. Why aren't we allowed to know, why the families are not allowed to know, how potentially the Saudis messed up. We need to know. There is a lot of questions here and we have no answers to.

[35:46] **M. ISIKOFF:** Now Jim, my understanding is that just in the last few weeks, you've had an opportunity to depose, under oath, three of the principals involved –

[35:59] **J. KREINDLER:** Right.

[36:00] **M. ISIKOFF:** – in this matter. Bayoumi, the suspected Saudi intelligence agent who helped the hijackers when they arrived in LA. Thumairy, the radical imam at the King Fahad Mosque, who was allegedly tasked to provide help to these hijackers. And Jarrah, the Saudi embassy official, who is alleged, according to the Operation Encore document that has become public, to have tasked Thumairy with providing that assistance. What can you tell us about your depositions of these principals?

[36:43] **J. KREINDLER:** Yeah, so, we are thrilled with how the depositions went. You know, because of this gag order that, you know, has us handcuffed and would have me locked up if I could tell you what I know, I can't yet tell you the details. I can say that we've exposed all kinds of lies. You know, one witness will contradict another. Each person wants to minimize their own role and point fingers at others. And when you line it up of the 20-plus depositions we've taken, you have lots and lots of people inculpating every Saudi official. I can say the depositions are so dramatic. I mean, you know, is there a smoking gun or guns? Yeah! There are! And I hope –

[37:45] **M. ISIKOFF:** Well that would suggest you have some sort of confession by one of these principals.

[37:50] **J. KREINDLER:** No, not a confession. But stuff that is so damning and so dramatic, if it was public, you'd see a very different relationship, I believe, with Saudi Arabia. And I hope in the next couple days we're going to be trying to lift the gag order. And you know, from day one, the Justice Department, in responding to our FOIA request, has used privacy interests of witnesses as a justification for the gag order. Including a year after 9/11 when we asked for documents and were told "we cannot give you that information unless you secure a privacy waiver from Osama Bin Laden." And that –

[38:45] [Muffled background laughter.]

[38:46] **J. KREINDLER:** Yeah! That is the kind of stuff –

[38:47] **M. ISIKOFF:** Really? Do you have that in writing? –

[38:49] **J. KREINDLER:** Yeah! Yes! –

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[38:51] **M. ISIKOFF:** – I would love to see that document. –

[38:53] **J. KREINDLER:** Yeah! A year after the attacks! –

[38:54] **M. ISIKOFF:** Alright, send me that and we'll post it –

[38:58] **J. KREINDLER:** [*Indiscernible.*]

[38:58] **M. ISIKOFF:** – on the *Yahoo!* website. Right.

[39:00] **J. KREINDLER:** But it really is dramatic, and you know, I think the real question is “why is the United States government been protecting Saudi Arab... Saudi Arabia’s gotten away with stuff, including the murder of Khashoggi, because they haven’t been called to account for 20 years. And the US government has been protecting the Saudi officials who were involved. To avoid the colossal embarrassment about the intelligence failures we’ve been talking about and other activities. But all of us talking now know that, you know, always the cover-up is worse than the initial mistake. And they just keep getting deeper and deeper in a hole until we succeed and are able to tell the whole story to the families and the world. But it’s going to happen, it’s just a question of when.

[40:01] **M. ISIKOFF:** So to be fair, when you listen to Catherine Hunt’s account of her meeting with Jamal Khashoggi, Khashoggi doesn’t point to the specifics of what we’re discussing here. –

[40:17] **J. KREINDLER:** Right.

[40:17] **M. ISIKOFF:** – The thing she thought was golden was his general point about the Ministry of Islamic Affairs funding a radical version of Islam that has led to multiple acts of terrorism. And that’s something that, you know, certainly officials in the US government have talked about for a long time. That much has been written about. It doesn’t necessarily suggest knowledge on his part of the particular help that was being given, allegedly, by these –

[40:52] **J. KREINDLER:** Right.

[40:52] **M. ISIKOFF:** – Saudi officials to those hijackers.

[40:53] **J. KREINDLER:** Well, you know, as Ali can explain far better than I can, when you start developing a relationship and a source, it’s a very rare occasion that in the first meeting, in the first half hour, you learn everything you want to know. So the reason I was so happy, is frankly we expected, you know, him to say “hey, take a hike! I’m not talking to you guys.” And the mere fact that he was willing to explore this, and continue to speak to us, and come up to New York and talk to me, I thought was great! So it was – you’re absolutely right. He did not reveal any specific evidence about what Saudi officials did. But we believe that it would be a really important and productive source as we could continue to build a relationship with him. And then, you know, we all know what happened to, you know, a year later.

[41:56] **M. ISIKOFF:** Right. And didn’t this come up at a court hearing that you had? –

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[42:00] **J. KREINDLER:** Yeah!

[42:02] **M. ISIKOFF:** – Tell us about that.

[42:03] **J. KREINDLER:** Well we're past that issue. But the Saudi lawyers, you know, came into court – demanded of us, and in front of the judge, said "we want a lot of detailed information on potential witnesses who the families want to get declarations from or depose." And we said "uh uh." I mean these are people afraid for their lives. And they have good reason to be afraid when Khashoggi is just murdered. So we wanted to protect their safety and hold back, you know, details on their, you know, addresses and so forth. But it is, you know – and there is a bunch of witnesses, and this is no surprise to anyone, I mean for us to get witnesses to give testimony—which they have—has been no easy thing. You have a lot of people who are scared. Both scared, and/or embarrassed that they, you know, were with Hazmi and Mihdhar and didn't recognize anything.

[43:08] **M. ISIKOFF:** Ali, as you look at this, today, Jim mentioned Operation Encore, which went on for years, and I know you know some of those who were knowledgeable and participated in that investigation. The Bureau continues to maintain that it did not reach any conclusion that could be actionable in terms of bringing cases against the Saudi figures that Jim is talking about. Should that give folks pause? I mean, what's your take for the fact is that the Bureau continues to not just, you know, support the state secrets privilege that has been imposed on this, but that it says the evidence simply isn't there.

[43:58] **A. SOUFAN:** Yeah you know what I don't know. I think about that every, you know, every now and then. And I think in order to start something against Saudi Arabia, you need some kind of a smoking gun, maybe from the FBI perspective. Listening to Jim now, saying, you know, the information that he would like to share with his clients and with the American people, is very damaging. That is extremely intriguing. Now, why the whole thing with Saudi Arabia is going the way it's going with the FBI and DOJ and the intelligence community, the US – under many administrations, you know, under the Bush administration, under the Obama administration, under the Trump administration, and let's see what's going to happen under the Biden administration. It tells me there is something bigger going on in this. And there is a reason they are not releasing any of this information and they are keeping it tight. And we, you know, I think American people 20 years after 9/11, with everything that happened because of 9/11, with everything that, you know, with all the wars that we went through, the \$5 trillion we spent because 9/11, right? We have the right to know what the hell happened on 9/11.

[45:13] **M. ISIKOFF:** Just to wrap up here, we spent a bit of time talking about this gag order you're under, Jim. Which is a result of the state secrets privilege that was imposed by Bill Barr and Richard Grenell, who was then the Director of National Intelligence under President Trump. But we are, you know, coming on almost six months into the Biden administration, the Merrick Garland Justice Department has yet to lift that state secrets privilege. I know you are making a last effort to persuade them to do so. But tell us where that stands and any signals you've gotten one way whether they are inclined to lift the gag order.

[45:58] **J. KREINDLER:** Well I'd say this. I think it's going to happen. And, you know, I've known Joe Biden for 35 years. And I think he would be horrified. And everything I know about Merrick Garland as the prosecutor for Oklahoma City, leads me to believe that he cares deeply about the victims of terrorism and their right to learn the truth. Now at the same time, you know, we have to deal with the procedures and, you know, let Justice Department make its independent evaluation. But I'm optimistic that it's going to happen. I believe Merrick Garland and the people in the Justice Department will react favorably. Maybe not 100% gets made public, but I hope the gag order will be lifted. And listen, you know, if they said "we're going to give you documents with the name of a confidential informant redacted," fine! But you can't keep from us a 16-page final report and justify its exclusion, and then prohibit us from telling anything important to the families of those who were murdered. So I think they're going to do the right thing, we just got to get their attention, get them focused on it.

[47:27] **M. ISIKOFF:** And I do think the pressure of the upcoming 20th anniversary in just a few months. –

[47:34] **J. KREINDLER:** Right.

[47:35] **M. ISIKOFF:** – As that reality becomes clearer, that will create –

[47:39] **J. KREINDLER:** Right.

[47:39] **M. ISIKOFF:** – some momentum for the Biden administration to do something along the lines of what you are talking about; whether it will go all the way is another question. But I want to – just to wrap up here I just want to come back to that Catherine Hunt interview because it's just a reminder of how many fascinating connections Jamal Khashoggi had. And that's been the theme of our series, of our *Conspiracyland* season this year: *The Secret Lives and Brutal Death of Jamal Khashoggi*. This is a guy who went to Afghanistan at Osama Bin Laden's invitation to cover the Mujahedeen war against the Soviets. A guy who was friends with Osama Bin Laden, for many years, they had a long and complicated relationship even though Khashoggi of course never endorsed the terrorism that Bin Laden engaged in. And a guy who later went to work for the Saudi government, and as we describe in episode 4, I believe of the series—people should really listen to the whole thing—was engaged in secret missions for the Saudi government to develop intelligence or information about Islamic, Islamist networks in Europe that were funding Al Qaeda and other acts of terrorism. So he was in a position to know a lot. –

[49:07] **J. KREINDLER:** Right.

[49:07] **M. ISIKOFF:** – And perhaps to have helped you a lot. So the fact that what went down went down and he was of course, you know, murdered in the most grisly of fashions a year later. For lots of reasons, the Saudis could have had lots of motivations: he had become of course a relentless critic of MBS, the Crown Prince, and that certainly would have been a big factor in the minds. But anyway I want to thank you both. It's been a fascinating discussion about a really important issue, and one I suspect we'll be hearing about quite a bit more in the coming months. And we'll definitely want to stay in touch with both of you. So thank you.

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[49:49] **J. KREINDLER:** Well, my pleasure, thanks Mike.